

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

SENATE BILL 291

4
5 By: Senator Todd
6
7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARKANSAS CODE 25-19-105 (b) TO MAKE
10 RECORDS MAINTAINED BY THE ARKANSAS INDUSTRIAL DEVELOPMENT
11 COMMISSION SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF
12 INFORMATION ACT; AND FOR OTHER PURPOSES."
13

Subtitle

14
15 "AN ACT TO MAKE RECORDS MAINTAINED BY
16 THE ARKANSAS INDUSTRIAL DEVELOPMENT
17 COMMISSION SUBJECT TO DISCLOSURE UNDER
18 THE FREEDOM OF INFORMATION ACT."
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code 25-19-105 (b), concerning exemptions to the
24 Freedom of Information Act, is amended to read as follows:

25 (b) It is the specific intent of this section that the following shall
26 not be deemed to be made open to the public under the provisions of this
27 chapter:

- 28 (1) State income tax records;
- 29 (2) Medical records, scholastic records, and adoption records;
- 30 (3) The site files and records maintained by the Arkansas
31 Historic Preservation Program and the Arkansas Archeological Survey;
- 32 (4) Grand jury minutes;
- 33 (5) Unpublished drafts of judicial or quasijudicial opinions and
34 decisions;
- 35 (6) Undisclosed investigations by law enforcement agencies of
36 suspected criminal activity;

1 (7) Unpublished memoranda, working papers, and correspondence of
 2 the Governor, members of the General Assembly, Supreme Court Justices, and the
 3 Attorney General;

4 (8) Documents which are protected from disclosure by order or
 5 rule of court;

6 (9)(A) Files which, if disclosed, would give advantage to
 7 competitors or bidders; and

8 ~~_____ (B)(i) Records maintained by the Arkansas Industrial
 9 Development Commission related to any business entity's planning, site
 10 location, expansion, operations, or product development and marketing, unless
 11 approval for release of such records is granted by the business entity.~~

12 ~~_____ (ii) Provided, however, this exemption shall not be
 13 applicable to any records of expenditures or grants made or administered by
 14 the Arkansas Industrial Development Commission and otherwise disclosable under
 15 the provisions of this chapter;~~

16 (10) Personnel records to the extent that disclosure would
 17 constitute clearly unwarranted invasion of personal privacy; and

18 (11)(A) The identity of law enforcement officers currently
 19 working undercover with their agency and identified in the Arkansas Minimum
 20 Standards Office as an undercover officer.

21 (B) Records of the number of undercover officers an agency
 22 lists are not exempt from this chapter. ~~23~~

24 SECTION 2. All provisions of this act of a general and permanent nature
 25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 26 Revision Commission shall incorporate the same in the Code.

28 SECTION 3. If any provision of this act or the application thereof to
 29 any person or circumstance is held invalid, such invalidity shall not affect
 30 other provisions or applications of the act which can be given effect without
 31 the invalid provision or application, and to this end the provisions of this
 32 act are declared to be severable.

34 SECTION 4. All laws and parts of laws in conflict with this act are
 35 hereby repealed.